

House Bill 694

By: Representatives Carter of the 159th, Bryant of the 160th, Jackson of the 161st, Stephens of the 164th, and Day of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to workers' compensation, so as to provide that an
3 injury occurring while an employee is on call but off duty is not compensable; to provide that
4 the employee has the burden of overcoming the presumption of noncompensability; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to workers' compensation, is amended by inserting immediately
10 following Code Section 34-9-2.4 a new Code Section 34-9-2.5 to read as follows:

11 "34-9-2.5.

12 An injury occurring to an employee who is on call, but off duty, for his or her employer
13 shall not be considered compensable under this chapter unless the employee can prove by
14 a preponderance of the evidence that the injury occurred after the employee had been
15 summoned to duty and that the injury was a direct result of the employee's performance
16 of the task he or she was called to perform."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.